

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

In the Matter of)

Amendment to the Commission's)

Regulatory Policies Governing)

Domestic Fixed Satellites and)

Separate International Satellite Systems)

IB Docket No. 95-41

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**OPPOSITION OF AMSC SUBSIDIARY CORPORATION
TO PETITION OF COMSAT CORPORATION FOR "PARTIAL
RECONSIDERATION AND IMMEDIATE INTERIM RELIEF"**

AMSC Subsidiary Corporation ("AMSC") hereby opposes the petition of Comsat Corporation ("Comsat") in the above-referenced proceeding.^{1/} AMSC specifically opposes Comsat's request for authority to provide U.S. domestic service using the Inmarsat satellite systems.

The Commission has consistently found that there is insufficient L-band spectrum to permit the U.S. domestic operation of more than one MSS system and has therefore limited its authorization to AMSC. See Second Report & Order, 2 FCC Rcd 485 (1987), clarified, 2 FCC Rcd 2417 (1987), recon denied, 4 FCC Rcd 6029 (1989), rev'd and remanded on other grounds sub nom., Aeronautical Radio, Inc., v. FCC, 928 F.2d 428 (D.C. Cir. 1991); Tentative Decision on Remand, 6 FCC Rcd 4900 (1991); Final Decision on Remand, 7 FCC Rcd 266 (1992), aff'd sub nom., Aeronautical Radio, Inc., v. FCC, 983 F.2d 275 (D.C. Cir. 1993). The Commission reaffirmed that decision less than a month ago, stating that:

^{1/} AMSC is the licensee of the U.S. domestic MSS system operating in the L-band. AMSC requests leave to submit this opposition 3 days after the May 21, 1996 deadline. In light of the significant opposition to Comsat's petition by a number of other parties, AMSC submits that acceptance of its opposition will not delay resolution of Comsat's petition. To facilitate their response, AMSC is serving Comsat counsel and other parties of record by fax today.

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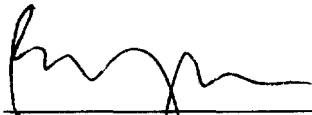
[w]e want competition in the U.S. market, but the first step is to ensure sufficient spectrum for the U.S. domestic MSS system to become an effective competitor.... Any policy that we propose here for aeronautical services must not exacerbate this situation or complicate ongoing negotiations.

Order on Reconsideration and Further NPRM in CC Docket No. 87-75, FCC 96-161, paras. 19 (May 9, 1996).

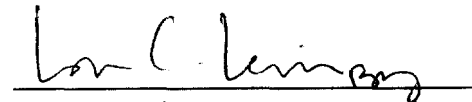
Comsat's petition completely fails to identify any change in circumstances that would justify a change in the Commission's policy. Comsat does not submit any new evidence that is relevant to the Commission's long-standing concern regarding the L-band spectrum shortage or the difficulty of the international frequency coordination process. The argument that Comsat does make, about the unfairness of permitting AMSC to bundle domestic and international service when Comsat is limited to international service is one that Comsat has raised before, and AMSC has rebutted. See AMSC Petition to Deny Application of Comsat Corporation for Authority to Provide U.S. Domestic Land Mobile and Aeronautical Mobile Satellite Service, File No. ITC-95-341 (June 26, 1995), p. 6.

Respectfully submitted,

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March 24, 1996

CERTIFICATE OF SERVICE

I, Cynthia L. Smith, a secretary to the law firm of Fisher Wayland Cooper Leader & Zaragoza L.L.P., hereby certify that on this 24th day of May, 1996, I served a true copy of the foregoing "Opposition of AMSC Subsidiary Corporation" by first class United States Mail, postage prepaid and facsimile transmittal, upon the following:

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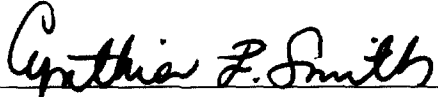
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